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11
12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**
14

15 UNITED STATES OF AMERICA,
16 Plaintiff

17 vs.

18 STEVEN GRIMM,
19 Defendant

) CASE NO: 2:08-cr-64-JCM (GWF)
)
)

) **DEFENDANT'S MOTION TO EXTEND**
) **TIME TO FILE REPLY TO**
) **GOVERNMENT'S RESPONSE TO**
) **MOTION TO VACATE, SET ASIDE OR**
) **CORRECT SENTENCE UNDER 28 U.S.C.**
) **§ 2255 [ECF 707; 801]**
20

21 This Motion to Extend Time is the fifth request (the first three requests having been filed
22 by Steven Grimm, in proper person).
23

24 Defense respectfully moves this Court for an Order extending the time to file its Reply to
25 Government's Response to Defendant's Motion to Vacate, Set Aside or Correct Sentence Under
26 28 U.S.C. § 2255 [ECF 707]. Communication between Mr. Grimm and Counsel has been
27 successfully re-established, which was the basis for the prior continuances; the undersigned has
28 produced to Mr. Grimm what Counsel believes is an adequate brief on the issues, but Mr. Grimm
is insisting counsel not file anything without his express permission or approval (a right which
Counsel believes Mr. Grimm does in fact possess), and this approval is still forthcoming.

Counsel was appointed for Mr. Grimm on August 21, 2020 [ECF 802]. On August 24,
2020, a Motion to Extend Time (First Request) to File a Reply to [801] Response to [707] Motion

1 to Vacate (2255) was filed by Steven Grimm, in proper person [ECF 805]. While the parties were
2 in the midst of litigating Mr. Grimm's Motion for Compassionate Release, Mr. Grimm filed a
3 Motion to Extend Time (Second Request) in proper person on November 12, 2020 [ECF 817]. On
4 January 29, 2021, Mr. Grimm filed a third Motion to Extend Time (Third Request) to Reply to 801
5 Response to 707 Motion Vacate (2255), filed in proper person [ECF 832].
6

7 Because of the foregoing reasons, Defense Counsel requests another thirty days for Mr.
8 Grimm to provide his approval of the Reply to the Government's Response to his Motion to
9 Vacate.

10 This Motion is not submitted solely for the purpose of delay or for any other improper
11 purpose.
12

13 This Court should grant an extension of time to, and including, July 25, 2021.

14 Dated: June 24, 2021

15 Respectfully Submitted,

16 /s/ Kelsey Bernstein
17 Kelsey Bernstein, Esq.
18 Nevada Bar No. 13825
19 Attorney for Defendant
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21 IT IS SO ORDERED:

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24 JAMES C. MAHAN
25 UNITED STATES DISTRICT COURT JUDGE

26 Dated: June 25, 2021
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28